

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

**CHASITY CONGIOUS,
by and through her Guardian, Kimberly
Hammond, on behalf of Herself and as
Mother and Next Friend of Z.C.H.,
Deceased**

Plaintiff,

V.

TARRANT COUNTY,

Defendant.



Civil Action No. 4:22-cv-00092-O

ORDER

Before the Court is the parties' Joint Status Report, Request to Appoint Next Friend, and Request for Stay of Deadlines (ECF No. 88), filed January 4, 2024. The Joint Status Report informs the Court that the parties accepted the mediator's proposal to settle their dispute. ECF No. 88 at 2. While the parties finalize their settlement agreement, they request a stay of all deadlines and 90 additional days to work through all remaining issues. *Id.* at 4. Finding good cause, the Court **GRANTS** the joint request for a stay of deadlines and **ORDERS** the parties to file the appropriate settlement papers—a stipulation of dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(ii) or an agreed motion with a corresponding proposed order under Federal Rule of Civil Procedure 41(a)(2)—**by April 5, 2024**. All existing deadlines are hereby **STAYED** pending the filing of appropriate settlement papers by the parties. The Court has also removed this matter from its four-week trial docket beginning on June 10, 2024. If the parties do not file the appropriate settlement papers by the assigned date, or if further proceedings become necessary, the parties should immediately file a Joint Status Report with the Court.

To facilitate finalization of the settlement, Plaintiff further requests that the Court appoint her mother, Kimberly Hammond, as her next friend in this litigation. *Id.* at 2. The joint report advises that a probate proceeding to appoint Ms. Hammond as Plaintiff's legal guardian was scheduled to commence on January 10, 2024. *Id.* at 3–4. At this time, the Court **DEFERS** ruling on Plaintiff's request for appointment of Ms. Hammond as her next friend. The Court **ORDERS** Plaintiff to submit a supplemental status report **by January 16, 2024** that contains an update regarding (1) the probate proceeding held on January 10, 2024 and (2) whether Ms. Hammond was appointed as Plaintiff's legal guardian.

SO ORDERED this **11th day of January, 2024**.


Reed O'Connor
UNITED STATES DISTRICT JUDGE